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VIA U.S. MAIL
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James K. Robinson,
Assistant Attorney General
Criminal Division
Department of Justice
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530

Attention: Terry Henry
Civil Division

Dear Mr. Robinson:

As co-counsel with Donald Beverly in the case of *The Florida Bar v. F. Lee Bailey* which is slated for trial on May 30, 2000, I hereby request that we be permitted to take the deposition of Mary Lee Warren. The grounds for this request are as follows:

1. On April 26, 1994, my client, Claude Duboc, caused to be transferred to me, in my personal not trust account at Credit Suisse in Geneva 602,000 shares of Biochern Pharma stock freely tradeable. This was done pursuant to an agreement by the government that any claim it might have to try to forfeit that stock to the United States would be complicated by its Canadian origins, that Canada might have a superior claim to the

stock and that an agreement between myself, Duboc and the government was in the best interests of all.

2. I was told that although the stock was to secure my fees and costs and those of other counsel, if the stock should depreciate or collapse that was a risk I was assuming, and that there would be no other source of fees that the government could promise.

3. After I agreed to these terms the government caused to be typed a letter, signed by Claude Duboc and dictated by him instructing UBS Bank, Luxembourg, to transfer the shares to my account in Geneva. This same letter transferred $3,500,000+ to a moon account (in Panama City, Florida), which is a cover for the DEA. Originally I was to get the cash and the government was to take the stock, however it was explained to my client in my presence that the government could not own stock and would have to sell it all the next day, perhaps depressing the share value severely. At the request of the government and myself I agreed to take the shares instead of the cash as the relevant document indicates. Thereafter I made personal loans against the stock and spent large sums – pursuant to a contract with the government – to maintain, reserve and eventually liquidate the real and personal assets of Duboc, forfeited with his consent to the United States.

4. When my margin limit (25%) was being reached, I sold 25% (150,000) of the stock which the government well knew, in order to diminish my personal liability and pay down my credit line with Credit Suisse which held the stock as collateral.

5. When the stock began to rise in value late in 1994, I made further loans against it ending in April, 1995, having been advised that there would be a "run" on the stock depressing its value. I sold an additional 52,000 shares leaving a balance of 400,000 shares.

6. On January 11, 1994, the government discovered that the shares had gone from $9.00+ to $45.00+ in value and demanded that I turn over all the profits to the government.

7. When the forfeitures were made my client at the request of the government, assisted the government in violating any number of treaties by cheating other countries (Singapore, Canada, France and Luxembourg) out of their fair share of forfeited properties.

8. The government brought an action against me to force me to turn over the shares and incarcerated me for 44 days while I raised the $2,300,000 necessary to free up the shares by paying off loans against them which I had made based on my entitlement to the substantial profits.

9. The government's basis for its claim involved two prongs; (1) that I had received the shares in trust with a promise to accept the losses if they occurred; to deliver any profits to the government, a clear violation of the prohibition against "parking" stock; and (2) that I had agreed that the stock was a forfeitable asset, to be forfeited in the future at the government's whim, a totally unlawful agreement had it been made. These claims, I contend were fabricated shortly after January 11, 1996.

10. During what some have termed a "trial" on February 2nd & 3rd, 1996, it was disclosed that a memorandum had been created by the Office of the United States Attorney for the Northern District of Florida and transmitted to Mary Lee Warren in the Department of Justice, some time on or about May 17, 1994, when Duboc pleaded guilty to the charges against him. My counsel sought this document, the government resisted, and United States District Judge Maurice M. Paul ruled in their favor.

11. In September, 1996 I filed suit against the government in the United States Court of Federal Claims for breach of contract on numerous grounds with which I assume you are familiar; if not please contact Terry M. Petrie of the Commercial Litigation Branch who is handling that case.

12. My counsel in that case requested from the Hon. Marion Blank Horn that we be made privy to the document described above which she published in part and redacted in pan.

13. I have been charged by The Florida Bar with breaching the rules governing the use of trust funds, on the ground that the government gave me the shares in trust even though there is no document remotely suggesting such a transaction and even though no lawyer not confined to a mental hospital would ever agree to "park" stock, risk all downside movement and give the government any resulting profits.

14. I think that the above recitation should make clear our need to depose Mary Lee Warren in this action. The government seeks disbarment, Florida law clearly

protects lawyers thus attacked with a full panoply of due process rights, and the right to discovery where the real prosecutor is the United States government is fundamental.

15. We are seeking to learn from Mary Lee Warren whether she knew about or approved; (a) the "parking" of stock by the government, a felony under federal law; (b) the formation of an illegal process to accomplish that "parking"; (c) the formation of a trust for the purpose of committing a crime; (d) the formation of a trust which was totally unenforceable under Florida law due to the statute of frauds; (e) assisting a client in transferring to a lawyer a "forfeitable" asset without the necessary Justice Department approvals; (f) the conduct of the government in causing to be deposited in a Swiss bank account drug proceeds in violation of Swiss law and its treaty with Switzerland respecting money laundering; (g) the conduct of the government in cheating Singapore, Canada, France and Luxembourg out of their fair share of drug proceeds generated or located in their respective countries; and (h) what other members of the Justice Department were made privy to any contract which may have been formed between the undersigned and the Office of the United States Attorney for the Northern District of Florida.

16. I have reviewed 28 CFR § 16.21, 16.22, and 16.26. I hope that the requirements thereof are satisfied herein; if it is your view that they are not, please notify me promptly so that I may alert Judge Ellis, the Referee in the instant litigation, of my inability to flush out my defense to the charges in question, whereafter I will seek to have the case against me dismissed by the Supreme

Court of Florida on the ground that the government, having fabricated the wildest story in the history of jurisprudence now refuses to have its minions to be properly questioned about their doings with respect to these alleged arrangements. You may call me or Donald Beverly, Esq. at (561) 655-4406, at any time and my secretary, Sue Corwin, will find us forthwith and your call will be returned.

As you can see, with the trial looming time is of the essence. I hope you will act very promptly.

Very truly yours,

F. Lee Bailey

FLB:sc

SWORN TO and subscribed before me this ___ day of April, 2000, by F. Lee Bailey, who is personally known to me.

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Notary Public, State of Florida at Large
My Commission Expires: